

Serial No.: 10/675,585
Group Art Unit: 2644
Examiner: Daniel Swerdlow

REMARKS

Claims 17-26 remain in this application.

Claims 1-16 have been canceled.

Claims 1, 17, 22, and 26 were rejected under 35 USC 102(b) as being anticipated by Cornes et al.. In the Office Action (paragraph 3), the Office Action discussed each element of Claim 1 stating a case for the scope and meaning of each limitation as required to establish a Prima Facie case of anticipation

In the Office Action (paragraph 4), the Office Action also states that independent Claims 17 and 26 are essentially similar to Claim 1 and are rejected on the same grounds. Applicant disagrees. Claim 17 includes the element, "providing one or more telephony bearer resources in the digital loop carrier" which Applicant contends is not included in Claim 1 and therefore since it was not included in Claim 1 it was not addressed in the rejection of Claim 1. As such, Applicant believes the Office Action fails to show a correct interpretation, including the scope and meaning, of each contested limitation, and thus has not established a prima facie case of anticipation with regard to Claim 17. Applicant makes the same argument with regard to independent Claim 26 which includes the element, "one or more telephony bearer resources configured to be situated in the digital loop carrier". Applicant also believes this element was not addressed in the rejection of Claim 1 and thus there has been no established prima facie case of anticipation with regard to Claim 26.

Further, Claims 18-25 are dependent from Claim 17, which is believed to be patentable, and therefore are believed to be patentable as well in view of the above-mentioned argument.

CONCLUSION

For the above reasons, Applicant believes the foregoing amendment places the Application in condition for allowance. Therefore, it is respectfully requested that the rejection of the claims be withdrawn and full allowance granted. Should the Examiner have any further comments or suggestions, please contact Bobby Slaton at (972) 519-2295.

Respectfully submitted,

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